



CITY OF PHILADELPHIA

DEPARTMENT OF PUBLIC HEALTH
Municipal Services Building
1401 JFK Boulevard, Room 600
Philadelphia, Pennsylvania 19102
Tel: (215) 686-9009
Fax: (215) 686-5209

Donald F. Schwarz, MD, MPH
Deputy Mayor, Health & Opportunity
Health Commissioner

January 24, 2013

Michael Morisy (via e-mail at 2525-46055142@requests.muckrock.com)

Re: Your Request for Information on the the number of landlords prosecuted under Philadelphia's lead paint law in 2010, 2011, and 2012.

Dear Mr. Morisy:

Thank you for writing the City of Philadelphia ("City") with your request for information. A copy of your request is attached. This letter serves as an acknowledgement of receipt of your request and notice of the City's Open Records Policy pursuant to the Right to Know Law.

Please note at the outset that written requests for records to state and local agencies in Pennsylvania are generally governed by the Commonwealth's Right to Know Law (the "Act"), 65 P.S. §67.101-67.3104. In accordance with the Act, the City has promulgated an Open Records Policy, which requires the standard statewide Right to Know Form be used for the submission of written requests pursuant to the Act ("RTK Requests"). See 65 P.S. § 67.504(a); *Dekok v. Lancaster County*, AP 2010-1197, 2011 PA O.O.R.D. LEXIS 25 at *5 and n.1 (Pa. OOR Jan. 17, 2011) (holding that in accordance with the Right to Know Law, an agency may adopt a policy requiring the use of the standard statewide form established by the Office of Open Records in order to file a Right to Know Request); *accord Pennsylvania Gaming Control Board v. OOR*, No. 1134 C.D. 2009, 2012 Pa. Commw. LEXIS 174 (Pa. Commw. June 11, 2012). As your request was not submitted on or with the standard statewide form, the City does not consider your request to be a RTK Request pursuant to the Act and will process it as an informal request.

You do not have to resubmit your request for the City to respond unless you are specifically informed otherwise.¹ The City is continuing to process the request you have

¹ The City reserves the right to require a formal RTK Request be submitted pursuant to the Act before releasing records.

submitted as an informal request outside the Act and will be in touch with you further to respond to your request.

Ed Karl (Frankford Arsenal)
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However, if you would like to file a RTK Request, please submit your request on or with the standard statewide Right to Know Form and address your request to the appropriate open records officer in accordance with the City's Right to Know Policy. **Please include this notice with your RTK Request.** Please note that if you resubmit your request as a written request pursuant to the Act the City will deem your informal request to have been withdrawn.

The City's Open Records Policy can be found here:

<http://www.phila.gov/privacy/pdfs/FinalCityOpenRecords.pdf>.

The statewide form appears at the end of the City's Right to Know Policy. If you require a hard copy of the form and/or policy, please let me know and one will be provided.

The City reserves the right to assert any and all grounds of denial in its final response to your request.

Respectfully submitted,



Elaine M. Strunk
Executive Assistant
Right to Know Officer for
The Department of Public Health

Attachment

Date Request Received: 1/22/13

Date Notice Sent: 1/24/13

Sent By (Circle One): Handed To Requester U.S. Mail E-mail Fax

Address/E-mail/Fax Number Sent to: 2525-46055142@requests,
muckrock.com

Printed Name and Department of Employee Sending Informal Response:

Elaine M Strunk - Department of Public Health